IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

MISCELLANEOUS PETITION NO.13 OF 2007

Mr.Ketan M. Chheda, H.U.F. ..Petitioner.

Mr.M.A. Khan for the Petitioner.

CORAM : S.J. VAZIFDAR, J.
DATED : 24TH JULY, 2007

P.C. :

The Petitioner seeks permission to sell a flat admeasuring 667 sq. ft. on the 22nd floor in a building known as Siddhivinayak Tower Co-operative Housing Society Ltd. at Dahisar.

2. The Petitioner is the karta of the H.U.F., comprising of his wife and two minor children viz. a daugther, who is 13 years old and a son, who is 10 years old. The Petitioner and his family live together. The flat which is sought to be sold was purchased in the year 2002. The Petitioner and his family have now started residing with his parents at Borivili.

3. I have been through the daft agreement for sale. There does not appear to be anything objectionable about it. The price also appears to be reasonable.

Considering that the family is now residing in the Petitioner's parent's house, it is not unreasonable if the flat is sold. Further, the Petitioner has agreed to invest the shares of the minors in fixed deposits during their minority in any Nationalised Bank.

4. In the circumstances, the Petition is made absolute in terms of prayers (a) and (b).

5. The fixed deposit receipts shall be deposited with this Court. The fixed deposits shall initially be for the period of five years and thereafter shall be renewed for a period of six months each till further orders.